

REMARKS

Claims 3, 4, 7, 8, 10, 12, 17 and 22-28 are pending in the application. Claims 3, 4, 7, 8, 10, 12, 22-25, 27, and 28 have been rejected. Applicants herein amend Claim 27 to correct a typographical error. Claims 29 and 30 are added, and are supported by the specification as originally filed, for example, page 10, line 24, - page 11, line 5; and page 8, lines 1-6. Review and reconsideration of the application in view of Applicants' amendments and remarks are respectfully requested.

Claim 27 was objected to for a typographical error. Such error has been corrected, obviating the objection. Withdrawal of the objection is in order.

Applicants thank the Examiner for the indication of allowable subject matter in claims 17 and 26. For at least the following reasons, Applicants submit all claims are in condition for allowance.

Claims 4, 23, 27-28 are rejected under 35 U.S.C. 102(e) over Han (US 6,608,707). Applicants traverse the rejection for at least the following reasons.

Han does not teach, disclose, or suggest the subject matter of any of claims 4, 23, 27, or 28. All claims 4, 23, 27, and 28 are directed to a portable imaging system having a first and second member, a scanning area in either the first or second member, a memory, and a communication port. Claim 4, and claim 23 dependent therefrom, additionally include an input device of a keyboard or touchscreen display. Claim 27 additionally includes a video input device for receiving one or more video clip relating to a digital image scanned into the system. Claim 28 includes a modification input for manipulating the image by zooming, cropping, or rotating before storage in memory. None of these specific features are taught in Han.

Han discloses at col. 11, lines 44-48 that the LCD display of the scanner can include a keyboard port. There is no teaching or disclosure of the use of a keyboard with the scanner, or how a keyboard would function in conjunction with the scanner were a keyboard connected thereto. In contrast, claims 4 and 23 of the claimed invention require a keyboard or touchscreen display in order to collect

information associated with the digital image. Han neither teaches nor suggests any reason why a keyboard would be connected to the LCD display of the scanner. Thus, the features of claims 4 and 23 of the claimed invention are not taught, disclosed, or suggested by Han.

Han discloses at col. 11, lines 44-48, that the LCD display of the scanner can be connected to a VGA monitor or a TV monitor. Monitors, in and of themselves, are output devices, not input devices. Monitors receive and display signals, as known to those of ordinary skill in the art. Monitors are not in and of themselves capable of transmitting data to another device. Thus, Han does not teach, disclose, or suggest that any information can be provided, particularly in the form of video input, from the monitors to the device. Further, Han does not teach, disclose, or suggest that any video input, were that in fact taught by Han, would be related to a scanned digital image, as set forth in claim 27. Thus, Han does not teach, disclose, or suggest the subject matter of claim 27.

Han discloses at col. 11, lines 44-48, that the LCD display can include an 8-button navigational control panel, indicated by the Examiner to be the basis of the rejection of claim 28 (page 4 of Office Action). There is no indication of how the control panel of Han is used. There is no teaching or disclosure of zooming, cropping, or rotating an image anywhere in Han. In fact, the terms “zoom,” “crop,” and “rotate,” or variations thereof, do not appear in Han at all. Therefore, Han does not teach, disclose, or suggest a modification input for zooming, cropping, or rotating images.

For at least the above reasons, Han does not teach, disclose, or suggest the subject matter of any of claims 4, 23, 27, or 28. Reconsideration and withdrawal of the rejections under 35 U.S.C. 102(e) are in order, and are respectfully solicited.

Claims 3 and 22 are rejected under 35 U.S.C. 103(a) over Han in view of Os (US 6,480,304), wherein claim 22 depends from claim 3. Applicants traverse the rejection for at least the following reasons.

The Examiner in the Office Action at page 5 admits Han does not disclose or suggest an image input device having an opening for receiving a

removable digital image media to enable digital image input from the media to the portable imaging system. The Examiner cites Os, col. 10, lines 10-16, as disclosing “storing images from a portable media to a portable scanning device.” While this section of Os does disclose the use of removable storage media with the scanning system of Os, it goes on to describe the information uploaded from the media at col. 10, lines 14-19, as “the scanner software described above,” which software is operational software, that is, the computer program that actually controls the operation of the scanner, and can be inserted into a computer system to control the scanner. There is no teaching, disclosure, or suggestion of uploading images using such media. Os teaches that function of the removable storage media to be enabling any computer to drive the scanner.

If combined with Han, the teaching of Os would provide one skilled in the art a means of enabling an interoperable computer system to run the scanning device of Han. There is no teaching, disclosure or suggestion to have an image input device having an opening for receiving a removable digital image media to enable digital image input at said opening from said digital image media to the memory of the portable imaging system, as set forth in claim 3 and claim 22 dependent therefrom. For at least the above reasons, reconsideration and withdrawal of the rejection are in order, and are respectfully solicited.

Claim 7 is rejected under U.S.C. 103(a) over Hans in view of Brennan (US 5,070,966). Applicants traverse the rejection for at least the following reasons.

At page 6 of the Office Action, the Examiner admits Han does not disclose or suggest a display disposed in the first or second member of the scanner for displaying the digital image and advertisement information when the scanning system is in an open position. Brennan is cited for teaching “a scanner with a flat open for displaying of advertising or other information” at col. 2, lines 10-16.

Brennan teaches a barcode scanner for use in a check-out, for example, at supermarket, wherein a protective clear cover over the scanning optical array includes advertisement information. Brennan is not directed to a document or image

scanner, and is not capable of use as such. Thus, combination of Brennan with Han is not proper.

Even if Han was combined with Brennan, the result would be advertisement material on a protective cover of Han, for example, the housing including the scanner. Brennan still does not teach a display in a scanner, wherein the display shows advertisement information. For at least the above reasons, reconsideration and withdrawal of the rejection of claim 7 are in order, and are respectfully solicited.

Claims 8 and 25 are rejected under 35 U.S.C. 103(a) over Han in view of Irons (US 6,192,165), wherein claim 25 depends from claim 8. Applicants traverse the rejection for at least the following reasons.

Claims 8 and 25 are directed to a portable imaging system having software for tracking information associated with the digital image, wherein the information is an image name or scanning date. As described in the specification at least at page 10, lines 21-23, the image name is a name used to reference the image, for example, "grandmajean" if the image is of Grandma Jean as opposed to Grandma Kate.

The Examiner admits at page 7 of the Office Action that Han does not disclose or suggest software for tracking information associated with the digital image. Irons is cited for such teaching at col. 15, lines 36-53.

First, Irons can not be combined with Han because such a combination is expressly taught against in Irons. Irons teaches isolating the scanning operation from indexing and storing of the information at col. 15, lines 27-34. In particular, Irons continues at col. 15, lines 34-36, to state:

A user can index and apply a label 400 to documents in a batch, then transport the batch of indexed documents to a third party scanning service provider.

The advantages cited are implementing digital filing with reduced costs by outsourcing scanning to a dedicated third party scanning operation, as taught at lines 49-53. Thus, Irons specifically teaches to separate scanning functions from indexing

and storage functions, and therefore teaches away from any combination with Hans because such a combination would defeat the purpose of Irons.

Even if Irons were combinable with Hans, which it is not for at least the above reasons, Irons still does not teach, disclose, or suggest a software for tracking an associated image name or scanning date as described by Applicants. As disclosed at col. 15, lines 36-46:

The service provider scans the previously indexed documents and stores digital images of the documents onto a recordable, transportable media (i.e., CD-ROM, DVD, etc). The third party scanning service provider's software is an extension of digital filing application 227 and will, therefore, be capable of naming the digital images according to the name stored in each document's bar code portion 420. When the transportable media is re-introduced to system 100 a [sic] the user's location, image index database 228 can locate the scanned images by using the document number, which is now the image file name.

Thus, the image name is the one already assigned by the indexer of the documents, and which is recorded by bar code. Thus, it is a bar code number that is recorded as a "name" for the scanned document, not an image name or scanning date.

For at least the above reasons, combination of Irons with Han is improper, and, even if it were proper, does not disclose or suggest the claimed invention. Reconsideration and withdrawal of the rejection are in order and are respectfully solicited.

Claims 10 and 12 are rejected under 35 U.S.C. 103(a) over Han in view of Yamauchi et al (US 6,020,982), wherein claim 12 depends from claim 10. Applicants traverse the rejection for at least the following reasons.

The Examiner admits at page 8 of the Office Action that Han does not disclose or suggest an audio input device for receiving audio information relating to the digital image. Yamauchi is cited for such teaching at col. 8, lines 54-58.

Yamauchi is directed to an electronic still camera capable of recording digital images. Col. 8, lines 54-58 indicate that digital voice data can be stored in memory, as well as digital image data. A reading of the entire reference shows that

the voice data is recorded simultaneous to the taking of the digital image, for example, see col. 13, lines 29-36.

There is no motivation to combine a digital camera as taught with Yamauchi with a scanner device as taught by Han. Both teach an imaging system, but one captures live data, and the other scans and records prerecorded information from different media. The devices serve vastly different purposes, and have no overlap in purpose. One skilled in the art of scanners would not look to a digital camera for information in design or function, and a digital camera designer would not look to a scanner for design or function. Combination of these references is improper.

Even if combination were not improper, which applicants argue it is, Yamauchi does not teach, disclose, or suggest an audio input device for receiving audio information relating to a digital image produced by scanning. As set forth at page 10, lines 10-15, the audio information claimed by Applicants is narration, identification of subject matter, musical scoring, or staged re-creation of the imaged event. It is not a live capture of audio at the time the original image is captured as taught in Yamauchi because the portable imaging device was not present at the time the original image was created. Thus, Yamauchi does not disclose or suggest receiving audio information as defined by Applicants.

For at least the above reasons, reconsideration and withdrawal of the rejection of claims 10 and 12 are in order, and are respectfully solicited.

New claims 29 and 30 have been added. They are directed to a system including the portable imaging system and either a kiosk or printer, respectively.

All of claims 3, 4, 7, 8, 10, 12, 17 and 22-30 are in condition for allowance for at least the above reasons. Reconsideration and prompt action in the form of a Notice of Allowance are respectfully solicited.

Should the Examiner require anything further, or have any questions,
the Examiner is asked to contact Applicants' undersigned representative.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Kathleen Neuner Manne', with a long horizontal flourish extending to the right.

Kathleen Neuner Manne
Attorney for Applicant(s)
Registration No. 40,101

KNM:kjw
Rochester, NY 14650
Telephone: (585) 722-9225
Facsimile: (585) 477-1148

If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.